Washington State Conservation Commission Regular Meeting

## **FINAL MINUTES**

Pullman, Washington May 20, 2010

The Washington State Conservation Commission (Commission/WSCC) met in regular session on May 20, 2010 in Pullman, Washington. Commissioner Bahrych called the meeting to order at 8:33 a.m.

#### **COMMISSION STAFF ATTENDEES**

Lynn Bahrych, Chair Mark Clark, Executive Director Fred Colvin, Vice Chair Ron Shultz, Policy Director Jim Peters, Member Tom Salzer, Technical Services Manager Lynn Brown, Member Tracy Eriksen, Member Josh Baldi, Member Lee Faulconer, Member John Winder, Member Clay Sprague, Member

Ray Ledgerwood, Program Coordinator Stu Trefry, District Operations & Outreach Services Manager Megan Finkenbinder, Program Specialist

Larry Brewer, SE Regional Manager

Dave Guenther (representing Chris Herron), Member

#### PARTNERS REPRESENTED DURING THIS MEETING:

John Larson, Washington Association of Conservation Districts (WACD) Roylene Rides-at-the-Door, Natural Resources Conservation Service (NRCS) Don Larsen, Department of Fish & Wildlife (WDFW) Rod Hamilton, Farm Services Agency (FSA) Phyllis Barney, Assistant Attorney General (AG) Kim Simpson, Washington Association of District Employees (WADE)

#### **GUESTS:**

Craig Nelson, Okanogan CD Raymond Brown, Pine Creek CD Joan Folwell, Palouse CD Mark Whitmore, Palouse CD

#### **Introductions, Partnership Reports & reflections of tour**

Phyllis Barney - AAG - Ms. Barney introduced herself as the Commission's Assistant Attorney General. Ms. Barney is replacing Sharonne O'Shea.

Roylene Rides-at-the-Door - The NRCS leadership was able to obligate all funds received this FY for Farm programs. They requested an additional \$9 million and spent every penny of it. WHIP received full allocation; plans are to have another CSP signup. WA State scored pretty high compared to counterparts on FRPP allocations. Many folks jumped from CRP over to Sagegrouse. Currently, there are plenty of backlog projects.

Commissioner Brown – Fairly quiet in his area, budget of course is first and foremost in folks' minds. He has been faced with an interesting appointment situation.

Commissioner Sprague – Provided hardcopies of DNR's strategic plan for Commissioners and Mark Clark. This was the result of 8 months of efforts in terms of developing what they are going to be working on for the next 5 years. There are six major goal areas included in the plan. 1. Continue to manage state lands sustainably. 2. Improve forest practice rules and regulations. 3. Preserve forests and Ag lands. 4. Clean up Puget Sound. 5. Renewable energy sources on state lands. 6. Ensure DNR is well managed. There are key connections on what WSCC does, DNR does and how we work together.

Commissioner Faulconer – The WSDA Dairy program has initiated discussions with stakeholders. WSCC has offered to facilitate any further meetings. Expecting the results of second round of EPA groundwater sampling efforts in Yakima basin. The process has been slumbering a bit while waiting on second round of sampling, trying to identify sources, the results due out in a couple of weeks. They are expecting them to show a wide variety of sources.

Commissioner Eriksen – Appreciates that folks made it on the tour of the area. He is extremely pleased with the development of CD's in the county. The Districts in Good Standing program that WSCC has put together has really improved his local districts. He is still hearing about issues with Cultural Resources, those have been ongoing for several years. Because of this, CD's are looking for projects that have little or no cultural resources on them, which significantly limit the opportunities.

Mark Clark, SCC Staff – Serving as NASCA President this year. Idaho has for years had their commission under the DOA. They are now reforming as an independent. This may allow for an opportunity to get together as a tri-state commission. There is an official district training taking place in New Hampshire, which includes 10 districts that are or have been pretty ineffective. NASCA has taken a lot of ownership for supervisor training guidelines. Currently involved in monthly phone calls with the chief and other partners.

Commissioner Bahrych – Provided copy of Snoqualmie watershed collaborative project. The King and Snohomish CD's have partnered on this project.

Commissioner Colvin – The potential lawsuit over assessments is a deep concern. Also, it appears that there will be a challenge in Western WA with regards to the TSP process.

Commissioner Peters –There is an initiative that all agencies are involved in which includes getting funds to meet a date of 2016 to have as many culverts fixed as possible. Tribes are also requesting the federal government to do the state of the watershed. This includes going out and collecting a lot of date within watersheds.

Commissioner Baldi – Dairy talks – ECY has a strong interest in improving that program. There needs to be more oversight of the planning/implementation process. Whatcom CD received a notice from EPA about a grant looking at application rates during the winter months, hoping that the project can be scaled as a research as opposed to implementation. With regards to the Ag & Water Quality talks – ECY has set aside the BMP manual, they are working towards objectives they wanted to accomplish within the manual that can now be accomplished through the Ag & Water Quality talks. ECY just recently released 319 report.

Commissioner Winder – In the past several months WSU has developed some webinars that are put on by the research faculty. Their goal is to make them available to other

agencies. The week following this meeting will be the second in a series of WSU innovators luncheons in Seattle.

Dave Guenther, WACD – Expressed his appreciation that a discussion of roles and responsibilities had taken place at yesterday's strategic planning session. Would like agency folks to think about what they are doing and how they can continue to help move along the commission.

Rod Hamilton, FSA – They started to implement an amended CREP agreement but have had negative pushback from the tree fruit industry. Last year, a record was set for the most funds they've ever loaned. Sagegrouse signups went extremely well, opened up for signups on Monday and by Tuesday all 38,000 acres were signed up. Expecting a competitive CRP signup in July of this year.

Don Larsen, WDFW – Thanks to FSA & NRCS from all Sagegrouse stakeholders in the state. Very excited about these efforts and voluntary incentive based tools.

Kim Simpson, WADE – Training is less than one month away, June 14, 15, & 16<sup>th</sup> at the Sleeping Lady in Leavenworth. Ron Nichols is the keynote speaker on brand equity. Received scholarship requests from 20 different districts. Unfortunately, registration this year was down about 20%. The deadline for registration was May 14<sup>th</sup>.

### **Consent Agenda**

Commissioner Colvin moved and Commissioner Peters seconded to approve the March 18, 2010 regular Business Meeting minutes.

Motion adopted.

Commissioner Colvin moved and Commissioner Winder seconded to approve travel for Mark Clark.

Motion adopted.

Commissioner Eriksen moved and Commissioner Winder seconded to approve the payment for Ag Forestry membership dues.

Motion adopted.

#### **Legal/Technical Services**

Commissioners went into Executive Session to discuss litigation as allowed by RCW 42.30.110(1)(i).

11:45 general meeting was resumed.

## Appointments –

Commissioner Eriksen moved to approve all district appointees in his region except for the Palouse CD, Commissioner Brown seconded. Motion adopted.

Commissioner Eriksen moved to appoint Mark Whitmore to the Palouse CD, Commissioner Brown seconded. Motion adopted.

Commissioner Brown moved to approve all district appointees in his region except for the Kittitas and Okanogan CD's, Commissioner Colvin seconded. Motion adopted.

Commissioner Eriksen moved to appoint Lorah Waters-Super to the Okanogan CD board, Commissioner Peters seconded. Motion adopted.

Commissioner Colvin moved to appoint William Boyum to the Kittitas CD board, Dave Guenther seconded. Motion adopted.

Commissioner Colvin moved to approve all district appointees in his region except for the Thurston CD, Commissioner Peters seconded. Motion adopted. Commissioner Baldi abstained from this vote.

Commissioner Brown moved to appoint Thomas Newcomb to the Thurston CD board, Commissioner Peters seconded. Motion not adopted. This appointment opportunity will be opened up at a later date.

 Elections – Tom Salzer, SCC Staff reported that the only errors seen were nonsignificant errors at polling sites with polling officers. This allows for a training opportunity.

Commissioner Eriksen moved to certify all 47 Conservation District elections and announce all newly elected members, Commissioner Faulconer seconded. Motion adopted.

- Status report on rulemaking for Elections & Appointments Tom Salzer, SCC staff reported that there is a time crunch on rule making. The language needs to be in to the Code Reviser's office by May 27<sup>th</sup> in time to publish by July 7<sup>th</sup> which allows for public hearings by July 27<sup>th</sup> and a proposed rule by the September Commission meeting.
- **Mason CD Update** Commissioner Bahrych announced that the Executive Committee instructed Phyllis Barney, AAG, to write an amicus brief on the Mason CD.

Commissioner Brown moved that if the Commission feels uncomfortable about a situation involving legal status with the Mason assessment, Mark Clark is able to call a meeting of the Executive committee, Commissioner Eriksen seconded. Motion adopted.

# <u>Public Comment</u> – No public comment

# **Budget**

• **09-11 Biennium status** – The Commission was briefed on the outcome of the 09-11 supplemental budget actions from the past session. The major issue was the \$250,000 reduction in the distribution to districts. There was funding provided to Kittitas CD for their participation in rangeland grazing issues, but the Governor vetoed

this funding. She also vetoed a section of the budget that required WSCC to reduce WMS staff; this would have been an additional \$63,000 reduction. The total reduction to the CD's comes out around 5%. As of right now, our invoicing remains in-house and does not go back to OFM-SACS. There is still a freeze on out-of-state travel, contracts and new hires.

 Temporary Layoffs – Staff recommended the Commission approve and adopt the statutory temporary layoff.

Commissioner Eriksen moved to adopt the recommended temporary layoff dates, Commissioner Peters seconded. Motion adopted.

 District Allocation for FY11 – The supplemental budget cut the allocation to districts by \$250,000 which is 5% of the fiscal year distribution.

Commissioner Eriksen moved to reduce the district FY 11 allocation by an equal 5% across all 47 conservation districts, the 5% would be from their original allocation. There also may be adjustments to the TSP amount to cover TSP needs. Commissioner Brown seconded. Motion adopted.

• WACD Recommendations for 11-13 Budget – John Larson, WACD Executive Director, discussed next biennium's development process. There is an active engagement with all 47 CD's. He felt it was extremely important to maintain direct contact and conversation on this process. The Area Webinars, where CD's are being asked to present their budget requests are coming up in June. Commissioner Colvin would like to ask WACD that the commission may take into consideration participation in the webinar for the final allocation for the new biennium.

Dave Guenther moved, Commissioner Baldi seconded to notify conservation districts that participation in the webinars may be considered by the commission for the FY 11-13 biennium allocations. Motion adopted.

Follow-up to education discussion at March Commission meeting –
Commissioner Winder cautions everyone that there are several entities who work on
educational opportunities, also need to ensure that these educational avenues do not
bleed over into the area of advocacy. Commissioner Eriksen feels the CD's need to
coordinate with WSU programs, among others. He would like to see on a future
agenda where WSU education opportunities are. Kara Kaelbar, Franklin Conservation
District, asked that the Commission look into adding education as a line item in their
future budgets.

Dave Guenther moved to allocate \$50,000 towards education as per the request from the Washington Grain Alliance. Motion died for lack of a second.

Mark Clark, SCC staff, feels we are doing what we can as far as encouraging districts to be involved in education. John Larson, WACD staff, would like it to remain as it is right now. The current process allows the districts to make their decisions at the local level. They need to be the ones to decide if their funding shall go towards education programs.

• **CREP TA allocation** – There is not as much funds as there were in the past. Mark Clark, SCC staff, recommends that SCC move on what Carol Smith has recommended.

Dave Guenther moved, Commissioner Eriksen seconded for acceptance of Carol Smith's recommendations. Motion adopted.

• **IE TA allocation** – The SCC staff recommendation is to fund at the same level as last year for Irrigation Efficiencies TA.

Commissioner Eriksen moved, Commission Brown seconded to approve the staff recommendation. Motion adopted.

## **Policy & Intergovernmental**

Ag & Water Quality & Dairy Nutrient update – Ron Shultz, SCC staff, reported that
the discussions on Ag & Water Quality were started as a result of the ECY BMP Manual.
There was some concern and interest into reviewing the MOA between CD's and ECY.
Currently, the group has been broken down into 2 subgroups, a BMP workgroup, which
focuses on NRCS and their processes and an MOA workgroup which focuses solely on
the MOA. The goal is to be done in September.

Currently there are five agencies which were pulled together to discuss the Dairy Nutrient management plan. WSCC offered to facilitate any future meetings of this group. The next step is to try and get some more regimentation/focus into this process.

- Food Policy update The Governor vetoed the bill establishing a food policy forum, in that bill it had SCC convening the first meeting to kick off the forum. There is interest among districts and a number of state agencies who also hold a vested interest. The Food policy issue is complex.
- Watersheds results initiative The focus is what the natural resource problem to be solved is and how to target problems to get results. There may be a role for the WSCC to look at Watershed areas where an interest remains to target and where there may be a role for CD's to implement those. The director of Ecology is interested in looking at the Yakima area.
- **Climate Change update** SCC staff are participating in two TAGS, water resources and forest fire suppression. They are still working on getting these groups organized but still moving ahead.
- Puget Sound update The current challenge is the Puget Sound Partnership would like information on state activities by June 1<sup>st</sup> which does not fit with the current SCC budget schedule.
- Natural Resources cabinet update Mark Clark, SCC staff has been attending these meetings. They have begun a more focused approach. The cabinet is still in the forming stages. Currently they are working on developing common regional boundaries.

# **District Operations**

• **Districts in Good Standing update** – Stu Trefry, SCC staff, reported that the Regional Managers are now beginning to work with CD's on the initial analysis on where districts are in relation to the new updated checklist. An initial report on where CD's stand will be provided by each RM at the July meeting. The only district which remains not in a Tier 1 status is the Adams CD, we are waiting on results from the state audit.

## **Regional Manager Report**

Commissioners were provided a report on the work of each Regional Manager. The RM's feel they are at a crossroads, the way they provide service to districts appears to remain a mystery to folks. Early in June, the RM's will be getting together to discuss what an RM's role is and what a successful district looks like as well as how to improve service to districts.

# **Commission Operations**

- **WACD Resolutions** A report on all WACD Resolutions where the Commission was named was included in the packets. The Commission would like to discuss resolution #08-008 and 09-021 at their July meeting.
- Strategic Planning session follow-up Mark Clark, SCC Staff recommends that
  there be a motion to approve the focus areas that were identified during the planning
  session and to have staff come back in July with a more refined plan of
  implementation. Commissioner Eriksen so moved, Commissioner Peters
  seconded. Motion adopted.

## **Chair's Comments**

• **Dig It update** – There is still a possibility of this being brought to Washington State. There will be another update in July.

Commissioner Bahrych adjourned the meeting at 4:00 p.m.